



RESEARCH REPORT

Catalog number	00-007
Date:	05/26/00
Subject:	Criminal Court Services Courtroom Staffing Study
To:	David Smith, County Administrative Officer
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I. Issue

What will be the staffing impact to the Maricopa County Sheriff's Office Criminal Court Services Division for courtroom officers, with the addition of three new criminal court divisions for Maricopa County Superior Court in fiscal year (FY) 1999-00?

II. Background

A. Increase in Criminal Case Filings

By the end of calendar year 1999, the Maricopa County Superior Court will have added three new criminal judges to address a criminal case backlog of approximately 2,969 cases.¹ The Superior Court has experienced an average annual increase of 10% in criminal case filings over the last five years, from 16,244 in calendar year 1994 to a projected 25,449 by calendar year end 1999. Criminal case filings peaked to 24,708 (17%) in 1998 but are expected to level off at 2-3% incremental increases for the next five years.²

B. Functions of Criminal Court Services

The addition of new criminal divisions impacts the other agencies involved in the adjudication process, including the Maricopa County Sheriff's Office (MCSO) Criminal Court Services Division. Criminal Court Services has two primary responsibilities affecting Superior Court operations: 1) Transports inmates to and from court and 2) Staffs courtrooms with courtroom officers, providing courtroom security for inmates appearing for court. Van transports may be as high as 25 inmates per one officer. One officer is assigned to a maximum of 12 inmates taken to court.

¹ Superior Court of Arizona in Maricopa County Judicial Officer Staffing and Caseload Data CY 1993 – CY 2002.

² Ibid.

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In addition to the Maricopa County Superior Court, inmates are also transported to and from the Maricopa County justice courts and the Maricopa County Juvenile Court. Criminal Court Services also transports inmates to and from the Maricopa Medical Center (MMC) – or any other hospital as necessary – and operates an extradition unit which transports fugitives of justice from other jurisdictions to Arizona. Additionally, Criminal Court Services staffs a hospital ward in the Maricopa Medical Center (MMC), Ward 41, providing security for County inmates in the hospital and also staffs the detention area where inmates are held between transportation trips, referred to as the transportation hub. In addition to having staff present in the courtrooms while court is in session, Criminal Court Services also has staff assigned to providing overall security, as needed, in any of the Maricopa County Superior Court buildings and the Maricopa County justice courts.

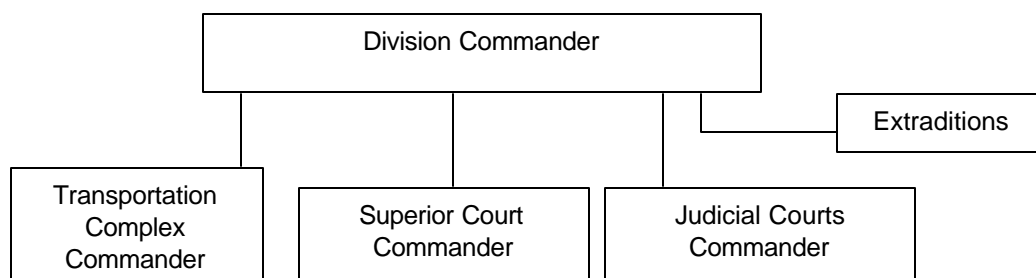
All the aforementioned functions are performed by sworn (deputies) and detention officers. Sworn officers can make arrests whereas detention officers cannot. Detention officers are hired to work specifically in the jail while deputies normally work on patrol. However, due to a high staff attrition rate in detention personnel, MCSO is increasingly cross-utilizing deputy positions in the jail. Additionally, MCSO recently (effective January 2000), increased starting pay for detention officers and deputies, the two types of positions now both have the same starting salary.

MCSO operates eight jails, from which an inmate may be transported to and from court, including: Avondale, Durango, Estrella, First Avenue, Madison, Mesa, Tents, and Towers. The Maricopa County Superior Court has a downtown complex in Phoenix and a southeast location in Mesa, the total number of Superior Court judicial divisions as of 2/10/00 was 82, 11 (14%) more divisions from 1998³ (this does not include commissioners and hearing officers). In addition to Superior Court, inmates may be scheduled to appear for court in any of the 23 justice courts located throughout Maricopa County and the two juvenile facilities, in the southeast valley and the Durango court complex. Courtroom security is provided for all the justice courts and the downtown and southeast Superior Court complexes.

The organizational structure for Criminal Court Services is as follows (see Appendix A for a more detailed organizational chart provided by the department):

³ Superior Court of Arizona in Maricopa County Judicial Officer Staffing and Caseload Data CY 1993 – CY 2002 and Judicial Officer Positions Assignments (rev. 2/10/00).

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The hub of Criminal Court Services is the Maricopa County First Avenue Jail which is the Transportation Complex in the diagram above. All inmates are brought to the hub and then taken to the appropriate court location. The Transportation Complex unit of the Criminal Court Services division is also comprised of squads A, B, and C, responsible for transporting the inmates. Additionally, it includes staff on special assignment, mostly responsible for one to one transport for maximum security inmates. This unit also includes administrative staff for the transportation complex.

In the remainder of the diagram above, Superior Court includes Squads D and E, comprised of courtroom officers staffing Superior Court downtown courtrooms. Judicial Courts includes: court security officers for Superior Court and justice courts; courtroom officers for justice courts; courtroom officers for Superior Court southeast complex including the juvenile facility; officers staffing MMC (Ward 41); and courtroom officers staffing juvenile courtrooms at the Durango Juvenile Court complex.

C. Budget Request

This report focuses on a request submitted by MCSO for 20 additional officers (deputies) as a result of the addition of three new criminal court divisions in Superior Court. The total budget request is for \$797,760, including salaries and benefits, clothing allowance, and bullet proof vests. The request was submitted as a budget issue during the budget development process for budget FY 1999-00 but was not recommended for funding at the time pending further review by the Office of Management and Budget (OMB). A total of \$500,000 was reserved in the detention fund contingency for FY 1999-00, for this issue.

D. Criminal Court Services Increased Staffing (FY 96-00) and MCSO Position Management Issues

In assessing the need for additional courtroom officers, the analysis conducted for this report takes into consideration the increased levels of staffing for Criminal Court Services in the past four years (refer to Appendix B for that detailed information).

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Note that the staffing information in Appendix B for fiscal years 1996-99 is derived from the OMB budget system, based on MCSO's budget structure, i.e., how many positions were listed under Criminal Court Services in the budget system (also note that Criminal Court Services was previously named Security and Transport). FY 1999-00 information was derived from the December 7, 1999 payroll information contained in the Human Resources Management System (HRMS).

Staffing increases are partially the result of the Maricopa County Jail Planning Study and the implementation of the Superior Court's Early Disposition Court (EDC). Consultants were hired in the spring of 1997 by Maricopa County to study the Maricopa County criminal justice system and assess future jail space needs for the county. The study found that Criminal Court Services was understaffed by 11 detention positions, taking into consideration a 1.65 shift relief factor for positions that required 24 hour, 7 day per week coverage.

The 11 new positions were approved by the Maricopa County Board of Supervisors and funded beginning FY 1999-00, as part of the first phase of the implementation of the jail planning study recommendations, which involved a total of 146 positions approved and funded for MCSO to address staffing shortages. Insofar as EDC, two positions were funded for Criminal Court Services in FY 1998-99. Other staffing increases may be attributed to inter-organizational changes within MCSO.

Therefore, the basis for the analysis contained in this report and as agreed upon with the department is that the additional positions requested were to address a new need from the addition of new criminal court divisions and that the appropriate staffing levels had been achieved for current operations. A more thorough analysis of the entire Criminal Court Services Division staffing was not feasible at this time as data was unavailable.

Additionally, although the number of positions showing in Appendix B are 150 from FY 1999-00 12/7/99 payroll information, MCSO confirmed that 140 positions are currently allocated to Criminal Court Services which is consistent with the number of positions showing in the organizational chart (see Appendix A) provided by Criminal Court Services. MCSO indicated that although some positions may be showing as being paid out of Criminal Court Services, they may actually be assigned to other divisions. For purposes of this report, the number that will be used is 140. However, in the future, MCSO must be able to provide an accurate accounting of positions through the OMB budget system.

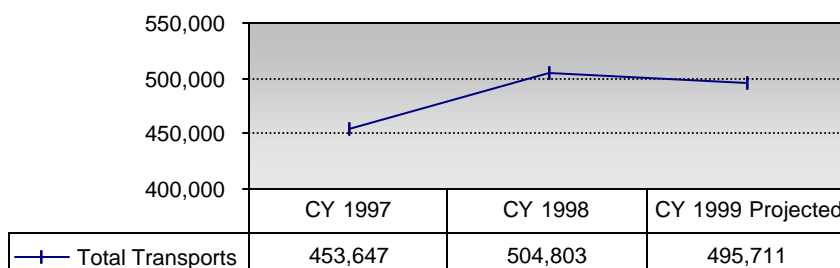
Transportation of inmates would not be affected significantly by the new divisions as, according to Superior Court Administration, the new divisions will be primarily addressing the Court's backlog of an estimated 2,969 criminal cases. The majority of the cases are expected to go to trial, therefore, if one trial were to be held per day with one defendant per trial, an additional three inmates per day would need to be

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transported. The number of multiple defendants, if any, to be tried together, is not known at this time. However, a full staffing analysis of Criminal Court Services may be warranted at a later time, upon availability of actual number of locations transported to and from each day. Criminal Court Services currently estimates an average number of movements per inmate to take the inmate from a jail to a court facility and reports total number of movements as transports.

According to statistics provided by the department (see Chart I below), although the department experienced an 11% increase in the number of transports in calendar year 1998, based on the monthly average in number of transports between January and September 1999, projected number of transports at year end indicate a decrease of 2%. As referenced earlier, the

Chart I: Total Transports



department did receive 11 new staff FY 1999-00.

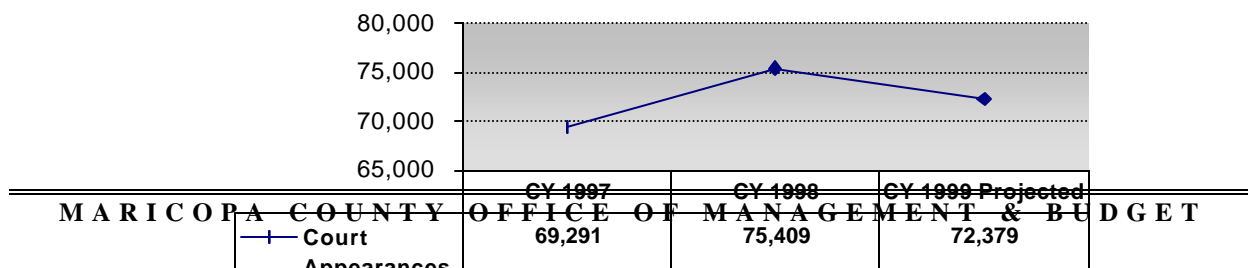
III. Analysis

A. Courtroom Appearances – Superior Court and EDC Statistics

(1) Superior Court

Chart 2 below depicts the total number of court appearances for Superior Court, for which Criminal Court Services had to assign one officer for a

**Chart 2:
Superior Court Appearances (Inmates Taken to Court)**



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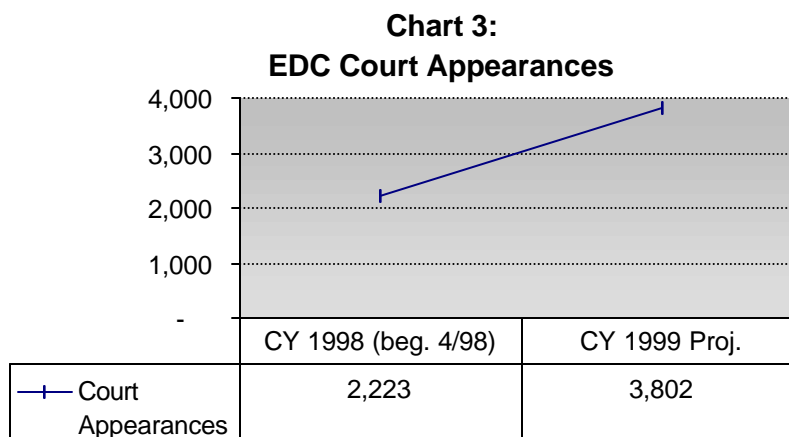
maximum of 12 inmates per courtroom:

Although the number of court appearances is expected to decrease, thus decreasing the ratio of number inmates per officer in the courtroom, the number of courtroom locations is increasing (see table 1, Section B).

(2) Early Disposition Court (EDC)

In November 1997, Superior Court implemented EDC, to address case delay and backlog. Currently, there is one full-time EDC courtroom which handles an average of 15 in-custody cases per day (the average is most likely close to 18 per day as EDC court normally hears welfare fraud cases on Fridays and has a minimal number of cases to be heard on Friday afternoons).

EDC courtroom coverage will thus require more than one officer from Criminal Court Services using the department's one officer per a maximum of 12 inmates in the courtroom standard. Chart 3 below depicts EDC court appearances since Criminal Court Services began tracking EDC statistics in April 1998:



B. Superior Court Judicial Officer Staffing Statistics – Criminal and Special Assignment Divisions

The following Table 1 depicts judicial officer staffing for the criminal and special assignment divisions of the Superior Court downtown and southeast court complexes (these two types of judicial divisions comprise the majority of daily court locations for transports requiring courtroom staffing by MCSO. More courtrooms

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may need to be covered if an inmate is required to appear for a civil or family court matter - see Section C for further discussion):

Table 1: Superior Court Judicial Officer Staffing Criminal and Special Assignment Divisions			
Superior Court Divisions	CY 1997	CY 1998	CY 1999
Criminal Judges	23	23	23
Criminal Commissioners	6.5	5.5	6.5
EDC Criminal Commissioner	0	1	1
Plea Officer	0	0	1
Special Assignment Judges	6	6	9
Special Assignment Commissione	1	1	1
TOTAL	36.5	36.5	41.5

A total of three new criminal divisions or judgeships will be created in 1999, which will all be placed in Special Assignment, handling the criminal backlog. As shown in Table 1, a minimum of 42 court locations need to be staffed

C. Staffing Analysis – Criminal Court Services Courtroom Officers

Based on the number of court appearances and number of criminal and special assignment courtrooms or divisions to be covered, in 1999, it is estimated that an average of about seven inmates will appear for court in each one of the criminal and special assignment divisions per day if caseloads were to be distributed evenly among all divisions (see Table 2); note that, even if one inmate needs to appear for court in one division, one officer must accompany that inmate.

Table 2: Staffing Analysis Criminal Court Services Courtroom Officers			
	CY 1997	CY 1998	CY 1999 Proj.
Superior Court Appearances (SE and Downtown)	69,291	75,409	72,379
EDC Superior Court Appearances	NA	2,223	3,802
Superior Court Appearances (SE and Downtown)(w/out EDC)	69,291	73,186	68,577
Avg. Daily Superior Court Appearances (w/out EDC)	277	302	290
Avg. Daily Superior Court Appearances per Division	7.49	8.15	6.89
Avg. Daily Superior Court Appearances (EDC only) per Division	NA	9	15
# Divisions or Courtroom Locations	37	37	42
# Courtroom officers needed (includes EDC)	37	37	43
Courtroom officers needed/includes shift relief factor for time off	NA	NA	44

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However, EDC, as shown in Table 2, will see an estimated daily average of 15 inmates. Therefore, two courtroom officers are required for EDC.

Considering the above analysis indicated in Table 2, Criminal Court Services should have a total of 43 courtroom officers for the 42 criminal and special assignment divisions (one for each division except two are needed for EDC). Note that although the majority of inmates appear for criminal charges, some may be required to appear on a civil, juvenile, or family court matter, etc., thus increasing the number of courtrooms that need to be covered. **However, in reviewing a two-week period in November 1999 (11/1/99-11/5/99 and 11/8/99-11/12/99), Criminal Court Services estimates that on a daily basis, the number of courtrooms that need to be covered could range from 39 to 47, with the median being between 42-43.**

Criminal Court Services currently has a total of 39 officers assigned to cover courts, 30 for the downtown complex and 9 for the southeast complex (see Appendix C for the current staffing breakdown of Criminal Court Services). The addition of the three divisions will bring the new need to 42 courtroom officers, 43 when adjusting for the daily number of inmates appearing for EDC using the MCSO standard of 12 inmates maximum per one officer for courtroom coverage. Taking into consideration the shift relief factor for time off, the total number of positions needed would be 44 (please see Appendix B for a calculation on the shift relief factor used in this staffing analysis), therefore, five additional officers are needed.

D. Staffing and One-time Costs

To fund five new deputy positions for Criminal Court Services, annualized FY 2000-01 and to fund overtime associated with the addition of Criminal Court Divisions for

From 1/1/00-6/1/00		(Annualized)	
FY 99-00		FY 00-01	
Personnel		Personnel	
Overtime	\$ 147,218	Salaries	\$ 136,032
Variable Benefits	\$ 17,754	Variable Benefits	16,405
Fixed Benefits	\$ -	Fixed Benefits	\$ 16,500
Total	\$ 164,972	Total	\$ 168,937
Supplies and Services		Supplies and Services	
Uniform/Vests	\$ -	Uniform/Vests	\$ 9,500
Total	\$ -	Total	\$ 9,500
Equipment		Equipment	
	\$ -		\$ -
Total	\$ -	Total	\$ -
MARICOPA COUNTY OFFICE OF MANAGEMENT & BUDGET			
Grand Total	\$ 164,972	Grand Total	\$ 178,437

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FY 99/00 (1/1/00-6/30/00) costs will be as follows:

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IV. Conclusions and Recommendations

The following are concluded and recommended:

- **Recommend funding five new deputy positions and associated costs as a FY 2000-01 budget issue at the annualized cost of \$178,437, and recommend the transfer of \$164,927 from the \$500,000 detention fund contingency reserved for FY 1999-00 Criminal Court Services Staffing study to fund costs associated with overtime incurred as a result of the January, 2000 addition of Criminal Court Divisions.**
- **Criminal Court Services should maintain, on a daily basis, a database containing the following information to be compiled on a monthly basis:**
 - (1) Number of daily court appearances in Superior Court, EDC, justice courts, and juvenile courts, by inmate (this is currently being tracked)**
 - (2) Number of daily trips conducted for transport to and from the different jail and court locations (the actual number must be tracked, through a daily log).**
 - (3) Number of daily court locations requiring courtroom coverage (the actual number must be tracked, through a daily log).**
 - (4) Number of shifts for transportation and courtroom coverage.**
 - (5) Number of staffing hours needing courtroom and transport coverage and number of staffing hours available on a daily basis, i.e., productive vs. non-productive hours.**
 - (6) Number of inmates transported to and from jail and court on a daily basis.**
 - (7) Number of inmates needing one to one special transport and courtroom coverage.**
- **Once a system is in place and the above statistics have been tracked for at least 6 months, a full staffing study be conducted on Criminal Court Services courtroom and transport coverage.**
- **Criminal Court Services should maintain a staffing plan including vacant and filled positions. Although assignments may change on a daily basis, if there are not many vacancies and the department is fully staffed, officers should be able to maintain a permanent post or job assignment excepting unusual circumstances.**

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- **Departmental performance should be tracked on a quarterly and annual basis and used by management to assess organizational needs. Additionally, staffing levels should be tracked and maintained on an annual basis for evaluation by management of staffing to program activity.**
- **Vacancy rate and overtime should be continuously tracked to address potential problems proactively rather than reactively.**
- **MCSO must provide a budget [organization] structure allowing accurate consolidation of positions and position management.**